

REMARKS

In response to the Final Office Action mailed October 19, 2007, Applicants respectfully request reconsideration and entry of this amendment. Claims 1-7 and 9-10 were previously pending in this application. By this amendment, claims 1, 6, 7 and 9 have been amended. As a result, claims 1-7 and 9-10 are pending for examination with claims 1 and 9 being independent. No new matter has been added.

Rejections Under 35 U.S.C. §103

The Office Action rejected claims 1-7 and 9-10 under 35 U.S.C. 103(a) as allegedly being unpatentable over Peterson, Jr., US Patent Number 5,857,020 ("Peterson"), in view of Nishino et al., U.S. Patent Number 5,857,024 ("Nishino"). Applicants respectfully disagree. In addition, without acceding to the appropriateness of the rejection, Applicants have amended independent claims 1 and 9 to more clearly distinguish over the cited references.

A. Independent Claim 1

Claim 1, as amended, recites:

A system for detecting an exceeding of time conditions of at least one application executed by a processor, comprising:

a storage element for storing the time conditions, wherein said time conditions comprise deadlines and are sorted by an increasing deadline order;

a work register for storing a time condition closest to a current date of the system; and

a comparator for comparing a deadline of the time condition contained in the work register with the current date of the system and, if the current date of the system exceeds the deadline:

providing an interrupt to the processor; and

updating the work register by introducing to the work register a next time condition from the time conditions stored in the storage element, wherein the next time condition is next closest to the current date.

(Emphasis added).

On page 3, the Office Action alleges that Peterson teaches limitations of claim 1. Peterson is directed to providing a method and apparatus for enabling access, dependent upon timed availability, to secured content provisioned on a storage medium (Peterson, Col. 2, lines 18-21). One timed availability scheme is to not allow access to the secured contents of the storage

medium 10, having been distributed in advance, until a predetermined date and time (Peterson, Col. 4, lines 24-26; Figs. 1 and 2). According to this scheme, a consumer may request and receive authorization to access the contents of the storage medium 10, but may not be enabled to access the secured content until the date and time associated with the premier event (Peterson, Col. 4, lines 25-41). Peterson describes that, upon expiry of a window during which the consumer may be allowed unlimited use of the content, another window may be initiated by the consumer requesting and receiving authorization (col. 4, lines 47-53). Peterson does describe, in connection with Figs. 1 and 2, times T1-T5 and authorization windows W0-W2. However, Peterson does not disclose “a work register for storing a time condition closest to a current date of the system,” as recited in claim 1.

The Office Action refers to Fig. 2, col. 4, line 21 – col. 5, lines 3, and col. 8, lines 15-65 of Peterson as allegedly describing claim 1. Peterson describes the storage medium 10 for storing the secured content. According to Peterson, a particular system for carrying out the service may include a non-alterable, non-volatile read only **control data** recorded on the DVD, CD-ROM, CD, game cartridges and other electronic media. (Peterson, Col. 3, lines 15-18). **The control data** may provide a content description, **start, expiration and other option control marks**. (Peterson, Col. 3, lines 18-20). (Emphasis added).

Further, Peterson describes that **the controller 14 comprises** a processor 32 operating in conjunction with a memory 34, keypad 36, display 38, modem 40 and a **combination of a secure card 42 with a corresponding card reader/writer 44**. (Peterson, Fig. 1; Col. 5, lines 44-47). (Emphasis added). **The secure card 42 and reader/writer 44 are conventional devices**. Smart cards and PCMCIA cards are examples of **the secure card 42** which **typically contain a processor, clock circuit and non-volatile memory**. (Peterson, Fig. 1; Col. 5, line 66 – Col. 6, line 2). (Emphasis added). In an embodiment of the controller 14 of Peterson, the secure card 42 is programmed to provide a time of day (TOD) clock 52, a consumer identifier 54, a private key 55, **a list 56 of authorization records** and a block decryption key (K_i) generator 58. (Peterson, Fig. 1; Col. 6, lines 8-12). (Emphasis added). **Each authorization record contains:** the identifier 24 of the secured content 28 on storage medium 10; **a start date and time** at which access thereto may be enabled; **an expiration date and time** after which authorization lapses or is no longer in effect; a limit for usage; and a key K on which securing of the data content 28 was based. **The start and expiration dates and times** define the window or period of timed availability during

which access to the secured content 28 may be enabled. (Peterson, Fig. 1; Col. 6, lines 30-38). (Emphasis added). Therefore, the start and expiration dates of Peterson are located in an authorization record provided by the secure card 42. Nowhere in the above portions does Peterson mention a work register for storing a time condition closest to a current date of the system. In contrast, claim 1 recites “a work register for storing a time condition closest to a current date of the system.”

As should be clear from the above discussion, Peterson does not teach or suggest a work register for storing a time condition closest to a current date of the system. Therefore, Peterson does not describe “if the current date of the system exceeds the deadline: ... updating the work register by introducing to the work register a next time condition from the time conditions stored in the storage element, wherein the next time condition is next closest to the current date,” as recited in claim 1.

The Office Action concedes that Peterson does not explicitly disclose providing an interrupt if the current date of the system exceeds the deadline. The Office Action goes on to allege that Nishino teaches this limitation in col. 7, lines 56-65. In the cited portion, and, for example, in col. 7, lines 23-43, Nishino describes, in connection with Figs. 4 and 5, respectively, interrupt routines performed by the IC card each time a predetermined amount of time has elapsed. However, Nishino does not teach or suggest “a storage element for storing the time conditions, wherein said time conditions comprise deadlines and are sorted by an increasing deadline order; a work register for storing a time condition closest to a current date of the system,” as recited in claim 1. Further, Nishino does not teach or suggest “if the current date of the system exceeds the deadline: ... updating the work register by introducing to the work register a next time condition from the time conditions stored in the storage element, wherein the next time condition is next closest to the current date,” as also recited in claim 1.

In view of the foregoing, claim 1 patentably distinguishes over Peterson and Nishino, either alone or in combination.

Claims 2-5 depend from claim 1 and are allowable for at least the same reasons.

Accordingly, withdrawal of the rejection of claims 1-5 is respectfully requested.

B. Independent Claim 9

Claim 9, as amended, recites:

A method for detecting an exceeding of time conditions of at least one application executed by a processor, comprising:

storing the time conditions in a storage element, wherein the time conditions comprise deadlines and are sorted by an increasing deadline order;

storing a time condition closest to a current date in a work register;

comparing a deadline of the time condition contained in the work register with the current date to determine if the current date of the system exceeds the deadline; and

if it is determined that the current date of the system exceeds the deadline:

providing an interrupt to the processor; and

updating the work register by introducing to the work register a next time condition from the time conditions stored in the storage element, wherein the next time condition is next closest to the current date.

(Emphasis added).

On page 3, the Office Action alleges that Peterson teaches limitations of claim 9. As discussed above, Peterson does not teach or suggest “storing a time condition closest to a current date in a work register,” as recited in claim 9. Furthermore, Peterson does not teach or suggest “updating the work register by introducing to the work register a next time condition from the time conditions stored in the storage element, wherein the next time condition is next closest to the current date,” as also recited in claim 9.

The Office Action concedes that Peterson does not explicitly disclose providing an interrupt if the current date of the system exceeds the deadline. The Office Action goes on to allege that Nishino teaches this limitation in col. 7, lines 56-65. As discussed above in connection with claim 1, Nishino does not teach or suggest “storing the time conditions in a storage element, wherein the time conditions comprise deadlines and are sorted by an increasing deadline order; storing a time condition closest to a current date in a work register.” Further, Nishino does not teach or suggest “if it is determined that the current date of the system exceeds the deadline: ... updating the work register by introducing to the work register a next time condition from the time conditions stored in the storage element, wherein the next time condition is next closest to the current date,” as recited in claim 9.

In view of the foregoing, claim 9 patentably distinguishes over Peterson and Nishino, either alone or in combination.

Claims 6, 7 and 10 depend from claim 9 and are allowable for at least the same reasons.

Accordingly, withdrawal of the rejection of claims 6, 7, 9 and 10 is respectfully requested.

CONCLUSION

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

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